



17555 PEAK AVENUE MORGAN HILL CALIFORNIA 95037

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**REDEVELOPMENT AGENCY**

Dennis Kennedy, Mayor  
Larry Carr, Mayor Pro Tempore  
Hedy L. Chang, Council Member  
Greg Sellers, Council Member  
Steve Tate, Council Member

**COUNCIL MEMBERS**

Dennis Kennedy, Chair  
Hedy L. Chang, Vice-Chair  
Larry Carr, Agency Member  
Greg Sellers, Agency Member  
Steve Tate, Agency Member

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**WEDNESDAY, OCTOBER 23, 2002**

**AGENDA**

**JOINT MEETING**

**REDEVELOPMENT AGENCY SPECIAL AND REGULAR MEETING**

**and**

**CITY COUNCIL SPECIAL MEETING**

**6:30 P.M.**

***A Special Meeting Is Called at 6:30 P.M. for the Purpose of  
Conducting Closed Sessions.***

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**Hedy Chang, Vice-Chairperson**

**CALL TO ORDER**

(Vice-Chairperson/Council Member Chang)

**ROLL CALL ATTENDANCE**

(Deputy City Clerk Malone)

**DECLARATION OF POSTING OF AGENDA**

**Per Government Code 54954.2**

(Deputy City Clerk Malone)

**6:30 P.M.**

## ***Redevelopment Agency Action and City Council Action***

### **CLOSED SESSION:**

**1.**

#### **CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION**

Significant Exposure/Initiation of Litigation

Authority: Government Code Sections 54956.9(b) & (c)

Number of Potential Cases: 2

**2.**

#### **CONFERENCE WITH LEGAL COUNSEL - POTENTIAL AND EXISTING LITIGATION:**

#### **CONFERENCE WITH REAL PROPERTY NEGOTIATORS**

Legal Authority: Government Code 54956.8 & 54956.9(a) & (c) (1 potential case)

Real Property(ies) involved: APN 728-31-007 & 008; 25.50 acres located on the southwesterly side of Cochrane Road (St. Louise Hospital property)

City Negotiators: Agency Members; Executive Director; Agency Counsel; F. Gale Conner, special counsel; Rutan & Tucker, special counsel

Case Name: San Jose Christian College v. City of Morgan Hill

Case Numbers: Ninth Circuit Court of Appeal No. 02-15693

Closed Session Topic: Potential Existing Litigation/Real Estate Negotiations

### **OPPORTUNITY FOR PUBLIC COMMENT**

### **ADJOURN TO CLOSED SESSION**

### **RECONVENE**

### **CLOSED SESSION ANNOUNCEMENT**

**7:00 P.M.**

### **SILENT INVOCATION**

### **PLEDGE OF ALLEGIANCE**

### **PROCLAMATION**

Hunger and Homelessness Awareness Week  
*Dina Campeau - Emergency Housing Consortium*

### **OTHER REPORTS**

**PUBLIC COMMENT**

**NOW IS THE TIME FOR COMMENTS FROM THE PUBLIC REGARDING ITEMS NOT ON THIS AGENDA.**

(See notice attached to the end of this agenda.)

**PUBLIC COMMENTS ON ITEMS APPEARING ON THIS AGENDA WILL BE TAKEN AT THE TIME  
THE ITEM IS ADDRESSED BY THE COUNCIL. PLEASE COMPLETE A SPEAKER CARD AND  
PRESENT IT TO THE DEPUTY CITY CLERK.**

(See notice attached to the end of this agenda.)

**PLEASE SUBMIT WRITTEN CORRESPONDENCE TO THE CITY CLERK/AGENCY SECRETARY. THE CITY  
CLERK/AGENCY SECRETARY WILL FORWARD CORRESPONDENCE TO THE CITY  
COUNCIL/REDEVELOPMENT AGENCY.**

## ***Redevelopment Agency Action***

**CONSENT CALENDAR:**

**ITEMS 1 - 2**                      The Consent Calendar may be acted upon with one motion, a second and the vote, by each respective Agency. The Consent Calendar items are of a routine or generally uncontested nature and may be acted upon with one motion. Pursuant to Section 5.1 of the City Council Rules of Conduct, any member of the Council or public may request to have an item pulled from the Consent Calendar to be acted upon individually.

**Time Estimate**

**Page**

**Consent Calendar: 1 - 10 Minutes**

- 1)     **SEPTEMBER 2002 FINANCE AND INVESTMENT REPORT** ..... 1  
      **Recommended Action(s):** Accept and File Report.
- 2)     **PROCLAMATION FOR WORLD POPULATION AWARENESS WEEK** ..... 13  
      **Recommended Action(s):** Approve Proclamation Proclaiming the Week of October 21-27, 2002, as World Population Awareness Week.

## ***City Council Action***

**CONSENT CALENDAR:**

**ITEMS 3 - 6**

**Time Estimate**

**Page**

**Consent Calendar: 1 - 10 Minutes**

- 3)     **SUPPORT FOR PROPOSITION 46** ..... 17  
      **Recommended Action(s):** Officially Support Proposition 46.
- 4)     **OFFICE XP SOFTWARE PURCHASE** ..... 25  
      **Recommended Action(s):** Authorize the City Manager to Issue a Purchase Order in the Amount of \$26,509.68 to Dell for Office XP Licenses.
- 5)     **2003 RECYCLING REWARDS CALENDAR** ..... 27

**Recommended Action(s):**

1. **Determine** That Repeating the Formal Bidding Process Would Not Be Likely to Result in a Lower Price, or Would Cause Unnecessary Delay; and
2. **Authorize** the City Manager to Issue a Purchase Order in the Amount of \$24,466 to Chase Printing for the 2003 Recycling Rewards Calendar.

- 6) **ADOPTION OF REVISED CLASSIFICATION SPECIFICATION AND SALARY RANGE FOR HOUSING PROGRAM COORDINATOR POSITION** ..... 29  
**Recommended Action(s):** **Adopt** the Revised Job Description and Salary Range for the Housing Program Coordinator in Business Assistance and Housing Services.

## *City Council Action*

**OTHER BUSINESS:**

	<b>Time Estimate</b>		<b>Page</b>
7)	60 Minutes	<b><u>SEWER AND WATER REVENUE REQUIREMENTS</u></b> ..... <b><u>Recommended Action(s):</u></b> <ol style="list-style-type: none"> <li>1. <b><u>Review</u></b> Water and Sewer Fund Revenue Requirements Study,</li> <li>2. <b><u>Schedule</u></b> a Workshop on November 13 or November 23, 2002, to Evaluate Sewer and Water Revenue Alternatives, So That a Decision on These Alternatives Will Occur by January 1, 2003; and</li> <li>3. <b><u>Authorize</u></b> the City Manager to Execute an Increase in the contract with Maximus in the Amount of \$32,795.96, Subject to the City Attorney's Review and Approval.</li> </ol>	37
8)	10 Minutes	<b><u>KIWANIS CLUB HOLIDAY PARADE REQUEST TO WAIVE SPECIAL EVENT PERMIT FEE AND PROVIDE IN-KIND SUPPORT</u></b> ..... <b><u>Recommended Action(s):</u></b> <ol style="list-style-type: none"> <li>1. <b><u>Provide Direction</u></b> to Staff Regarding the Request to Waive the Special Event Processing Fee of \$125; and</li> <li>2. <b><u>Provide Direction</u></b> to Staff on the Request to Have Services Provided by the City Donated.</li> </ol>	77
9)	10 Minutes	<b><u>COMMUNITY CENTER AND PLAYHOUSE FACILITY OPERATING HOURS</u></b> ..... <b><u>Recommended Action(s):</u></b> <ol style="list-style-type: none"> <li>1. <b><u>Authorize</u></b> Staff to Offer Extended Operating Hours for the Multi-Purpose Rooms at the Community Center; and</li> <li>2. <b><u>Adopt</u></b> Resolution No. 5619, Establishing Fees for Extending Operating Hours at the Community Center.</li> </ol>	85
10)	10 Minutes	<b><u>REVIEW OF ZONING REGULATIONS FOR PARKING LOT USED CAR/TENT SALES</u></b> ..... <b><u>Recommended Action(s):</u></b> The City Council Should <b><u>Consider</u></b> Whether to Ask the Planning Commission to Consider Amendments to the Municipal Code to Establish New Regulations Regarding Parking Lot Sales.	89

**FUTURE COUNCIL-INITIATED AGENDA ITEMS:**

Note: in accordance with Government Code Section 54954.2(a), there shall be no discussion, debate and/or action taken on any request other than providing direction to staff to place the matter of business on a future agenda.

**ADJOURNMENT**